

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WENDY GAUTHIER,

Plaintiff,

v.

SUNHEALTH SPECIALTY SERVICES,
INC. and SUNBRIDGE HEALTHCARE
CORPORATION,

Defendants.

Civil Action No.: 4:05-cv-40119

**VERDICT SLIP PROPOSED by DEFENDANTS SUNHEALTH SPECIALTY
SERVICES, INC., and SUNBRIDGE HEALTHCARE CORPORATION**

COUNT I (discrimination on the basis of handicap)

1. Did Ms. Gauthier prove that, at the relevant time, she suffered from a handicap within the meaning of the statute?

Answer: ☐ YES ☐ NO

If your answer to Question 1 is YES, please answer Question 2. If your answer to Question 1 is NO, skip Questions 2 through 6 and proceed directly to Question 7.

2. Did Ms. Gauthier prove that she was never the less able to perform the essential functions of her job without accommodations?

Answer: ☐ YES ☐ NO

If your answer to Question 2 is YES, please skip Questions 3 and 4 and proceed directly to Question 5. If your answer to Question 2 is NO, answer Question 3.

3. Did Ms. Gauthier prove that she was never the less able to perform the essential functions of her job with accommodations?

Answer: ☐ YES ☐ NO

If your answer to Question 3 is YES, please answer Question 4. If your answer to Question 4 is NO, skip Questions 4 through 6 and proceed directly to Question 7.

4. Would the accommodations mentioned in Question 3 have posed an undue hardship on Ms. Gauthier's employer?

Answer: ☐ YES ☐ NO

If your answer to Question 4 is YES, skip Questions 5 through 6 and proceed directly to Question 7. If your answer to Question 4 is NO, please answer Question 5.

5. Did Ms. Gauthier's employer take discriminatory employment action against her because of a handicap?

Answer: ☐ YES ☐ NO

If your answer to Question 5 is YES, please answer Question 6. If your answer to Question 5 is NO, skip Question 6 and proceed directly to Question 7.

6. Did Ms. Gauthier prove that she was replaced by another employee with similar skills and qualifications?

Answer: ☐ YES ☐ NO

If your answer to Question 6 is YES, please proceed to Question 6 and also fill in the damages section starting at Question 12. If your answer to Question 6 is NO, proceed to Question 7.

COUNT II (discrimination on the basis of gender/pregnancy)

7. Did Ms. Gauthier prove that she met her employer's legitimate performance expectations?

Answer: ☐ YES ☐ NO

If your answer to Question 7 is YES, please answer Question 8. If your answer to Question 7 is NO, skip Questions 8 through 9 and proceed directly to Question 10.

8. Did Ms. Gauthier's employer take discriminatory employment action against her because of a pregnancy?

Answer: ☐ YES ☐ NO

If your answer to Question 8 is YES, please answer Question 9. If your answer to Question 8 is NO, skip Question 9 and proceed directly to Question 10.

9. Did Ms. Gauthier prove that she was replaced by another employee with similar skills and qualifications?

Answer: ☐ YES ☐ NO

If your answer to Question 9 is YES, please answer Question 10 and also fill in the damages section starting at Question 12. If your answer to Question 9 is NO, proceed to Question 10.

COUNT III (retaliation for making a claim of handicap discrimination)

10. Did Ms. Gauthier prove that she engaged in conduct protected under Chapter 151B?

Answer: ☐ YES ☐ NO

If your answer to Question 10 is YES, please answer Question 11. If your answer to Question 10 is NO, skip Question 11 and proceed directly to Question 12.

11. Did her employer take adverse employment action against Ms. Gauthier as a direct result of the protected activity?

Answer: ☐ YES ☐ NO

If your answer to Question 11 is YES, please proceed to Question 12 and fill in the damages sections starting at Question 12. If your answer to Question 11 is NO, STOP, you need not answer the next Questions.

Damages

12. Answer the following questions only if you were instructed too in any of the following Questions: 6, 9 or 11.

13. Did Ms. Gauthier take steps to mitigate her damages?

Answer: ☐ YES ☐ NO

If your answer to Question 13 is YES, proceed directly to Question 15 and skip Question 14, If you to Question 13 is No, proceed to Question 14.

14. Please state in words and numbers the amount of money that you find Ms. Gauthier could have earned had she mitigated her damages?

Amount in Words: _____

Amount in Numbers: _____

15. Please state in words and numbers the amount of money that you find is reasonable and necessary to compensate Ms. Gauthier for the losses or harms, if any, caused by SunBridge:

Amount in Words: _____

Amount in Numbers: _____

Dated: August 27, 2008

Respectfully Submitted,

**SunHealth Specialty Services, Inc. and
SunBridge Healthcare Corporation,**

by its attorney,

/s/ Michael Williams

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CERTIFICATE OF SERVICE

I hereby certify that this Document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on August 27, 2008.

/s/ Michael Williams